

I. REMARKS

This Amendment is responsive to the Office Action dated December 15, 2004, which indicated that all pending claims, except Claim 19, were either allowable or would be allowable if amended to overcome the Examiner's objections as to their form. The Examiner's courteous indication of allowability is gratefully acknowledged.

Further, in view of the Examiner's suggested revisions to the specification and claims, and the responsive remarks presented herein, Applicant submits that each of the Examiner's objections have been alleviated, and requests immediate notice of allowance. As to Claim 19, Applicant respectfully submits that, in light of the remarks and arguments set forth below, it is also presently in condition for immediate allowance.

As recited in Applicant's Pre-Prosecution Amendment dated September 11, 2003, the present application initially included Claims 1-19. Claims 1-15 were listed as previously presented in Applicant's now issued U.S. Patent No. 6,663,261, of which the present application is a continuation. Claims 16-19 were then added as new claims. Thus, as the Examiner can appreciate, it was Applicant's intention to cancel Claims 1-15 in Applicant's Pre-Prosecution Amendment.

The Examiner has objected to pending Claims 16, 18 and 19 in view of informalities as to the term "its," and to the specification for minor discrepancies in the element numbers. The claims and specification disclosure have been amended to alleviate these informalities. Claim 18 has also been amended to address the Examiner's redundancy objection. In view of these amendments, Applicant submits that the Examiner's objections have been addressed, and that the claims should now be advanced to issuance. The Examiner's objection to Claim 8 is now moot in view of its cancellation, and Applicant respectfully asks that the objection be withdrawn.

The Examiner has also rejected Claim 19 on the grounds that it lacks sufficient antecedent basis for the term "said rails." This antecedent has been included in amended Claim 19 presented herein.

II. ARGUMENTS

Finally, the Examiner has rejected Claim 19 under 35 U.S.C. §103(a) as being unpatentable over Daumueller (5,735,596). Applicant has presently amended Claim 19 to alleviate the Examiner's objections as to form. Amendments responsive to Daumueller are not necessary because the Examiner's explanation of Daumueller's elements fails to identify the inwardly projecting mounting rails of the flange means. Also, in Applicant's invention, the boss means of the lens is formed with grooves for engaging the mounting rails. In Daumueller there are no mounting rails included on what the Examiner has identified as his flange means or the pan/housing. However, even if there were, the elements 146 and 132 that the Examiner has equated to boss means on the lens 120 do not include grooves to engage these side rails. Instead, the lens is formed with recesses 132 for engaging lugs 148 that protrude from a wall of the pan. [See e.g. Daumueller '596 patent, Col. 3, lines 19-35]. Thus, Daumueller fails to disclose every element of Claim 19.

Also, while the Examiner has asserted that it would have been obvious to one of skill in the art to arrive at a resilient plastic lens, the same cannot be said for the obviousness of the absent mounting rails. As is evident by reference to Figures 1 and 3 of the Daumueller patent, if the distal ends of the pan were adapted to somehow turn back inwardly towards the body of the pan to form mounting rails, this would prevent the lens 20 from fully advancing in the housing 10 along his "assembly direction." Also, any additional mounting rails would prevent the edge region 42 of his lens from coming to bear against the sealing element 34, thereby preventing the lens 20 from being securely received in the housing 10. [See Col. 2, lines 56-67]. Therefore, it would not have been

obvious to one of skill in the art to modify Daumueller to arrive at the Applicant's Claim 19 because to do so would defeat an intended purpose of the Daumueller invention.

Therefore, Applicant respectfully submits that one of skill in the art would recognize that Daumueller does not include every element of Claim 19 and could not be modified to arrive at Applicant's invention. In view of the foregoing, Applicant respectfully submits that the Examiner has not carried his burden of presenting a *prima facie* case for obviousness of Claim 19 under 35 U.S.C. § 103, and notification of allowance is solicited.

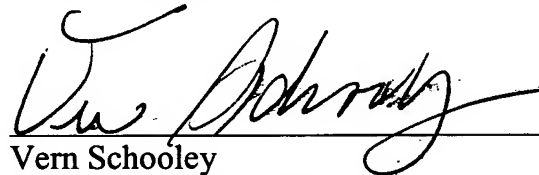
III. CONCLUSION

In view of the foregoing, Applicant believes that Claims 16-19 are now in condition for allowance and respectfully requests notice thereof. Should the Examiner have any questions or believe that the claims are not in condition for allowance, it is requested that he contact the undersigned attorney to further discuss the case.

Respectfully submitted,

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